

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

MASON HARRIS,

Case No. 1:15-cv-52

Plaintiff,

Judge Timothy S. Black

Magistrate Judge Karen L. Litkovitz

vs.

MR. HOFFMAN, *et al.*,

Defendants.

ORDER DISMISSING THIS CASE FOR LACK OF PROSECUTION

On September 25, 2015, this Court adopted the Magistrate Judge's August 17, 2015 Report and Recommendation to revoke the prisoner-plaintiff's *in forma pauperis* status on the ground that plaintiff is a "three-striker" within the meaning of 28 U.S.C. § 1915(g). (Doc. 25; *see also* Doc. 24). Plaintiff was ordered "to pay the full \$400.00 fee (\$350 filing fee plus a \$50 administrative fee) required to commence this action . . . within thirty days of the date of filing of this Order" and was "notified that his failure to pay the full \$400 fee within the requisite thirty-day period will result in the dismissal of his action." (Doc. 25) (emphasis in original). Plaintiff has not paid the fee required to commence this action, and the deadline for doing so has passed.

Accordingly, for the foregoing reasons:

- (1) Plaintiff's complaint is **DISMISSED** for want of prosecution;
- (2) Plaintiff's pending motions (Docs. 12, 13) are **DENIED** as moot;
- (3) The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that for the foregoing reasons an appeal of this Court's Order would not be taken in good faith, and therefore **DENIES** Plaintiff leave to appeal *in forma pauperis*;

(4) The Clerk shall enter judgment accordingly, whereupon this civil action is
TERMINATED in this Court.

IT IS SO ORDERED.

Date: 10/29/15

s/ Timothy S. Black
Timothy S. Black
United States District Judge